



06-15-06

PTO/SB/21 (09-04)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

|  |    |                        |                         |
|--|----|------------------------|-------------------------|
| <b>TRANSMITTAL<br/>FORM</b><br><br><i>(to be used for all correspondence after initial filing)</i> |    | Application Number     | 10/736,487-Conf. #3809  |
|  |    | Filing Date            | December 15, 2003       |
|  |    | First Named Inventor   | Robert H. Leung, Chiang |
|  |    | Art Unit               | 3744                    |
|  |    | Examiner Name          | M. M. Ali               |
| Total Number of Pages in This Submission   | 34 | Attorney Docket Number | 210_875RCE              |

### ENCLOSURES (Check all that apply)

|   |  |   |
|---|--|---|
| <input checked="" type="checkbox"/> Fee Transmittal Form<br><input checked="" type="checkbox"/> Fee Attached<br><input type="checkbox"/> Amendment/Reply<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><input type="checkbox"/> Extension of Time Request<br><input type="checkbox"/> Express Abandonment Request<br><input checked="" type="checkbox"/> Information Disclosure Statement<br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><input type="checkbox"/> Reply to Missing Parts/ Incomplete Application<br><input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Licensing-related Papers<br><input type="checkbox"/> Petition<br><input type="checkbox"/> Petition to Convert to a Provisional Application<br><input type="checkbox"/> Power of Attorney, Revocation<br><input type="checkbox"/> Change of Correspondence Address<br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Request for Refund<br><input type="checkbox"/> CD, Number of CD(s) _____<br><input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> After Allowance Communication to TC<br><input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences<br><input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)<br><input type="checkbox"/> Proprietary Information<br><input type="checkbox"/> Status Letter<br><input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):<br><br>Mailroom Return Postcard, PTO/SB/a/b (1 pgs.), certificate of express mailing (1 pg.) and copies of cited foreign references (27 pgs.) |
| <input type="checkbox"/> Remarks  |  |   |

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

|              |                             |          |        |
|--------------|-----------------------------|----------|--------|
| Firm Name    | WALL MARJAMA & BILINSKI LLP |          |        |
| Signature    |                             |          |        |
| Printed name | William W. Habelt           |          |        |
| Date         | June 14, 2006               | Reg. No. | 29,162 |

#### Transmittal

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EV678063526US, on the date shown below in an envelope addressed to:  
MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: June 14, 2006

Signature:

Christine M. Holmes



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Effective on 12/08/2004.  
Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

# FEE TRANSMITTAL For FY 2005

Applicant claims small entity status. See 37 CFR 1.27

**TOTAL AMOUNT OF PAYMENT** (\$ 180.00)

#### Complete if Known

|                      |                        |
|----------------------|------------------------|
| Application Number   | 10/736,487-Conf. #3809 |
| Filing Date          | December 15, 2003      |
| First Named Inventor | Robert H. Leung Chiang |
| Examiner Name        | M. M. Ali              |
| Art Unit             | 3744                   |

Attorney Docket No. 210\_875RCE

#### METHOD OF PAYMENT (check all that apply)

Check  Credit Card  Money Order  None  Other (please identify): \_\_\_\_\_  
 Deposit Account Deposit Account Number: 03-0835 Deposit Account Name: CARRIER CORPORATION

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

Charge fee(s) indicated below  Charge fee(s) indicated below, except for the filing fee  
 Charge any additional fee(s) or underpayment of fee(s) under 37 CFR 1.16 and 1.17  Credit any overpayments

#### FEE CALCULATION

##### 1. BASIC FILING, SEARCH, AND EXAMINATION FEES

| Application Type | FILING FEES |                       | SEARCH FEES |                       | EXAMINATION FEES |                       |  |
|------------------|-------------|-----------------------|-------------|-----------------------|------------------|-----------------------|--|
|                  | Fee (\$)    | Small Entity Fee (\$) | Fee (\$)    | Small Entity Fee (\$) | Fee (\$)         | Small Entity Fee (\$) |  |
| Utility          | 300         | 150                   | 500         | 250                   | 200              | 100                   |  |
| Design           | 200         | 100                   | 100         | 50                    | 130              | 65                    |  |
| Plant            | 200         | 100                   | 300         | 150                   | 160              | 80                    |  |
| Reissue          | 300         | 150                   | 500         | 250                   | 600              | 300                   |  |
| Provisional      | 200         | 100                   | 0           | 0                     | 0                | 0                     |  |

##### 2. EXCESS CLAIM FEES

###### Fee Description

Each claim over 20 (including Reissues) 50 25  
 Each independent claim over 3 (including Reissues) 200 100  
 Multiple dependent claims 360 180

| Total Claims  | Extra Claims | Fee (\$)              | Fee Paid (\$) | Multiple Dependent Claims |               |
|---------------|--------------|-----------------------|---------------|---------------------------|---------------|
|               |              |                       |               | Fee (\$)                  | Fee Paid (\$) |
| _____         | - 20 = _____ | _____ x _____ = _____ | _____         | _____                     | _____         |
| Indep. Claims | Extra Claims | Fee (\$)              | Fee Paid (\$) | _____                     | _____         |

- 3 = \_\_\_\_\_ x \_\_\_\_\_ = \_\_\_\_\_

##### 3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

| Total Sheets | Extra Sheets  | Number of each additional 50 or fraction thereof | Fee (\$) | Fee Paid (\$) |
|--------------|---------------|--|----------|---------------|
| _____        | - 100 = _____ | /50 (round up to a whole number) x _____ = _____ | _____    | _____         |

##### 4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): 1806 Submission of an Information Disclosure Statement 180.00

##### SUBMITTED BY

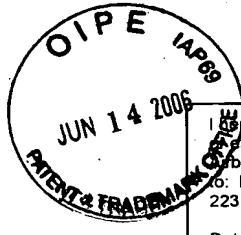
|                   |   |                                   |        |           |                |
|-------------------|---|-----------------------------------|--------|-----------|----------------|
| Signature         |  | Registration No. (Attorney/Agent) | 29,162 | Telephone | (315) 425-9000 |
| Name (Print/Type) | William W. Habelt   |                                   |        | Date      | June 14, 2006  |

##### Fee Transmittal

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EV678063526US, on the date shown below in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 450, Alexandria, VA 22313-1450

Dated: June 14, 2006

Signature:   
Christine M. Holmes



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22313-1450.

Dated: June 14, 2006

Signature

Christine M. Holmes

Docket No.: 210\_875RCE  
(PATENT)

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:  
Robert H. Leung, Chiang et al.

Application No.: 10/736,487

Confirmation No.: 3809

Filed: December 15, 2003

Art Unit: 3744

For: MEDIUM TEMPERATURE  
REFRIGERATED MERCHANDISER

Examiner: M. M. Ali

### INFORMATION DISCLOSURE STATEMENT (IDS)

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement is filed more than three months after the U.S. filing date, OR more than three months after the date of entry of the national stage of a PCT application, AND after the mailing date of the first Office Action on the merits, whichever occurs first, but before the mailing date of a Final Office Action or Notice of Allowance (37 CFR 1.97(c)).

A summary/abstract translation of the non-English language references is enclosed.

06/16/2006 MAHMED1 00000064 030835 10736487

01 FC:1806 180.00 DA

With the exception of U.S. Patent 5,755,108, each of the listed patents has been cited in either the parent application, i.e. serial no. 09/849,209, filed May 4, 2001 (now U.S. Patent 6,679,080) of which this application is a continuation, or in related co-pending application serial no. 10/743,394, filed December 22, 2003, which is a continuation-in-part of the aforementioned parent application.

As provided for by 37 CFR 1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

Please charge our Deposit Account No. 03-0835 in the amount of \$180.00 covering the fee set forth in 37 CFR 1.17(p). The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 03-0835, under Order No. 210\_875RCE.

Dated: June 14, 2006

Respectfully submitted,

By   
William W. Habelt  
Registration No.: 29,162  
WALL MARJAMA & BILINSKI LLP  
101 South Salina Street  
Suite 400  
Syracuse, New York 13202  
(315) 425-9000  
Attorney for Applicant



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Substitute for form 1449A/B/PTO

**Complete If Known**

|                        |                         |
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| Application Number     | 10/736,487-Conf. #3809  |
| Filing Date            | December 15, 2003       |
| First Named Inventor   | Robert H. Leung, Chiang |
| Art Unit               | 3744                    |
| Examiner Name          | M. M. Ali               |
| Sheet                  | 1 of 1                  |
| Attorney Docket Number | 210_875RCE              |

| U.S. PATENT DOCUMENTS |                       |   |                                |  |   |
|-----------------------|-----------------------|---|--------------------------------|--|---|
| Examiner Initials*    | Cite No. <sup>1</sup> | Document Number<br>Number-Kind Code <sup>2</sup> (if known) | Publication Date<br>MM-DD-YYYY | Name of Patentee or<br>Applicant of Cited Document | Pages, Columns, Lines, Where<br>Relevant Passages or Relevant<br>Figures Appear |
| AA*                   | US-2,200,502          | 05-14-1940  | G.G. Johnson                   |  |   |
| AB*                   | US-2,384,313          | 09-04-1945  | P.R.M.M. Kohler                |  |   |
| AC*                   | US-2,715,321          | 08-16-1955  | R.J. Burger                    |  |   |
| AD*                   | US-2,912,834          | 11-17-1959  | L.J. Mann                      |  |   |
| AE*                   | US-2,986,901          | 06-06-1961  | E.F. Hubacker                  |  |   |
| AF*                   | US-2,991,048          | 07-04-1961  | C. Rabin                       |  |   |
| AG*                   | US-3,012,760          | 12-12-1961  | W.L. McGrath                   |  |   |
| AH*                   | US-3,267,692          | 08-23-1966  | A.J. Pfeiffer et al.           |  |   |
| AI*                   | US-3,577,744          | 05-04-1971  | J. F. Mercer                   |  |   |
| AJ*                   | US-3,681,896          | 08-08-1972  | Velkoff                        |  |   |
| AK*                   | US-3,800,551          | 04-02-1974  | Weibel, Jr. et al.             |  |   |
| AL*                   | US-4,272,969          | 06-16-1981  | Schwitzgebel et al.            |  |   |
| AM*                   | US-4,434,843          | 03-06-1984  | Alford                         |  |   |
| AN*                   | US-4,569,390          | 02-11-1986  | Knowlton et al.                |  |   |
| AO*                   | US-4,644,758          | 02-24-1987  | Maehara et al.                 |  |   |
| AP*                   | US-5,179,845          | 01-19-1993  | Sasaki et al.                  |  |   |
| AQ*                   | US-5,682,944          | 11-04-1997  | Yamamoto et al.                |  |   |
| AR*                   | US-5,743,098          | 04-28-1998  | Behr                           |  |   |
| AS*                   | US-5,755,108          | 05-26-1998  | Ibrahim et al.                 |  |   |
| AT*                   | US-5,799,728          | 09-01-1998  | Blume                          |  |   |
| AU*                   | US-5,832,995          | 11-10-1998  | Chiang et al.                  |  |   |
| AV*                   | US-5,974,818          | 11-02-1999  | Topper et al.                  |  |   |
| AW*                   | US-6,076,368          | 06-20-2000  | Noble                          |  |   |
| AX*                   | US-6,102,107          | 08-15-2000  | Dunne                          |  |   |
| AY*                   | US-6,167,619          | 01-02-2001  | Beagle                         |  |   |
| AZ*                   | US-6,237,350          | 05-29-2001  | Hertel et al.                  |  |   |
| AA1*                  | US-6,308,527          | 10-30-2001  | Kuroyanagi et al.              |  |   |
| AB1*                  | US-6,679,080-A1       | 01-20-2004  | Chiang et al.                  |  |   |
| AC1*                  | US-6,923,013-A1       | 08-02-2005  | Chiang et al.                  |  |   |

| FOREIGN PATENT DOCUMENTS |                       |  |                                |  |   |
|--------------------------|-----------------------|--|--------------------------------|--|---|
| Examiner Initials*       | Cite No. <sup>1</sup> | Foreign Patent Document<br>Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known) | Publication Date<br>MM-DD-YYYY | Name of Patentee or<br>Applicant of Cited Document | Pages, Columns, Lines,<br>Where Relevant Passages<br>or Relevant Figures Appear |
| BA                       | EU-1316119            | 06-04-2003   | Ray Eshragui                   |  |   |
| BB                       | JP-7189684            | 07-28-1995   | Yuichi Sakamoto et al.         |  |   |
| BC                       | JP-8303933            | 11-22-1996   | Izumi Azuma et al.             |  |   |
| BD                       | JP-10148441           | 06-02-1998   | Tetsuya Inoue                  |  |   |
| BE                       | JP-410185413          | 07-14-1998   | Satoshi Kaneko                 |  |   |

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. \* CITE NO.: Those application(s) which are marked with a single asterisk (\*) next to the Cite No. are not supplied (under 37 CFR 1.98(a)(2)(iii)) because that application was filed after June 30, 2003 or is available in the IFW. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

|                    |                 |
|--------------------|-----------------|
| Examiner Signature | Date Considered |
|--------------------|-----------------|

